



General Assembly

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Amendment

LCO No. 6304

HB0549506304HR0

Offered by:

REP. RUWET, 65th Dist.

REP. MCMAHON, 15th Dist.

To: Subst. House Bill No. 5495

File No. 395

Cal. No. 226

(As Amended)

"AN ACT CONCERNING THE TRANSITION OF YOUTH FROM THE CARE OF THE DEPARTMENT OF CHILDREN AND FAMILIES TO THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES."

1 Strike subsection (e) of section 4 in its entirety and insert the
2 following in lieu thereof:

3 "(e) At the preliminary hearing held in accordance with subsection
4 (d) of this section, the parents or guardians shall be given an
5 opportunity to provide names and contact information for any person,
6 including a person related by blood or marriage, who may be available
7 as a placement resource. No later than seventy-two hours after the
8 preliminary hearing, the Department of Children and Families shall
9 provide written notice in clear and simple language to the persons
10 identified in accordance with this section. Such notice shall include (1)
11 notice of the rights of grandparents in accordance with subsection (c)

12 of this section; (2) an explanation of the process for having the child or
13 youth placed with the relative; and (3) an explanation of the
14 consequences for failing to contact the department to pursue
15 placement."

16 Strike subsection (l) of section 4 in its entirety and insert the
17 following in lieu thereof:

18 "[j)] (l) Upon finding and adjudging that any child or youth is
19 uncared-for, neglected or dependent, the court may commit such child
20 or youth to the Commissioner of Children and Families. Such
21 commitment shall remain in effect until further order of the court,
22 except that such commitment may be revoked or parental rights
23 terminated at any time by the court, or the court may vest such child's
24 or youth's care and personal custody in any private or public agency
25 that is permitted by law to care for neglected, uncared-for or
26 dependent children or youths or with any person or persons found to
27 be suitable and worthy of such responsibility by the court. The court
28 shall order specific steps that the parent must take to facilitate the
29 return of the child or youth to the custody of such parent. The
30 commissioner shall be the guardian of such child or youth for the
31 duration of the commitment, provided the child or youth has not
32 reached the age of eighteen years or, in the case of a child or youth in
33 full-time attendance in a secondary school, a technical school, a college
34 or a state-accredited job training program, provided such child or
35 youth has not reached the age of twenty-one years, by consent of such
36 youth, or until another guardian has been legally appointed, and in
37 like manner, upon such vesting of the care of such child or youth, such
38 other public or private agency or individual shall be the guardian of
39 such child or youth until such child or youth has reached the age of
40 eighteen years or, in the case of a child or youth in full-time attendance
41 in a secondary school, a technical school, a college or a state-accredited
42 job training program, until such child or youth has reached the age of
43 twenty-one years or until another guardian has been legally appointed.
44 The commissioner may place any child or youth so committed to the
45 commissioner in a suitable foster home or in the home of a person

46 related by blood to such child or youth or in a licensed child-caring
47 institution or in the care and custody of any accredited, licensed or
48 approved child-caring agency, within or without the state, provided a
49 child shall not be placed outside the state except for good cause and
50 unless the parents or guardian of such child are notified in advance of
51 such placement and given an opportunity to be heard, or in a receiving
52 home maintained and operated by the Commissioner of Children and
53 Families. In placing such child or youth, the commissioner shall, if
54 possible, select a home, agency, institution or person of like religious
55 faith to that of a parent of such child or youth, if such faith is known or
56 may be ascertained by reasonable inquiry, provided such home
57 conforms to the standards of said commissioner and the commissioner
58 shall, when placing siblings, if possible, place such children together. If
59 the child or youth has not previously been placed in the care of the
60 Department of Children and Families pursuant to an order of
61 temporary custody, and the court enters an order of commitment in
62 accordance with this subsection, the parents shall be given an
63 opportunity to provide the name and contact information for any
64 person, including a person related by blood or marriage, who may be
65 available as a placement resource and the Department of Children and
66 Families shall provide written notice in clear and simple language to
67 the persons identified in accordance with this section no later than
68 seventy-two hours after the issuance of an order of commitment. Such
69 notice shall include (1) notice of the rights of grandparents in
70 accordance with subsection (c) of this section; (2) an explanation of the
71 process for having the child or youth placed with the relative; and (3)
72 an explanation of the consequences for failing to contact the
73 department to pursue placement. If the child or youth is not placed
74 with a relative by the seventh day after the issuance of the order of
75 commitment, the Department of Children and Families shall file, in
76 writing with the clerk of the court, a description of the efforts made to
77 place the child or youth with a relative and an explanation of the
78 reasons the child or youth is not placed with a relative. As an
79 alternative to commitment, the court may place the child or youth in
80 the custody of the parent or guardian with protective supervision by

81 the Commissioner of Children and Families subject to conditions
82 established by the court. Upon the issuance of an order committing the
83 child or youth to the Commissioner of Children and Families, or not
84 later than sixty days after the issuance of such order, the court shall
85 determine whether the Department of Children and Families made
86 reasonable efforts to keep the child or youth with his or her parents or
87 guardian prior to the issuance of such order and, if such efforts were
88 not made, whether such reasonable efforts were not possible, taking
89 into consideration the child's or youth's best interests, including the
90 child's or youth's health and safety."